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October 2, 2007

REPORT OF THE COMMITTEE OF THE WHOLE
ON LEGISLATIVE MATTERS

The Committee on Legislative Matters convened on October 2, 2007 with Chairman Thomas Taylor presiding and Committee Members Aldermen Rebekah Gewirtz, Maryann Heuston, John Connolly, William Roche and Dennis Sullivan also present and voting. Also present were Noreen Burke, Tammy Rocha, Babs Mello, Paula Machado and Dr. Brian Greene from the Board of Health, Police Captain Paul Upton, Cindy Hickey from the Council on Aging, Michael Lambert from the Mayor's Office, Solicitor John Gannon, George Landers from ISD, Anne Thomas from SPCD, Joan Guarrino, David Webster, Don Briggs and Bob Walsh from Federal realty Investment Trust (FRIT) and Kimberly Geronimo from the Somerville News.

Public Hearing: Needle Collection and Disposal Plan

Ms. Burke made a presentation on the city's needle collection and disposal plan and stated that the goal of the public hearing is to educate the community on current and upcoming regulations, to raise awareness of needle use and to open a dialog for the placement of a needle collection and disposal kiosk within the city. At the present time, it is legal for pharmacies to sell, and for adults 18 and older, to purchase and possess needles without a prescription. Massachusetts law also requires the implementation of a program to collect and dispose of spent non-commercially generated hypodermic needles and lancets by local agencies. A pending law, effective July 1, 2008, would prohibit the disposal of hypodermic needles and lancets in solid municipal waste, including household trash.

The following Massachusetts statistics were noted:

- Approximately 1.5 million needles are disposed of each week in regular trash
- 1.4 million needles are disposed of each week by diabetics alone
- 60,000 needles are disposed of each week as a result of pet care
- needles generated by those using illegal substances are a very small percentage of the total

A Rhode Island study concluded that approximately 5% to 8% of all U.S. households dispose of needles with 94% of those needles being loosely placed in the trash and 4% being flushed down the toilet. Loose needles may easily penetrate plastic trash bags, compromising the safety of waste and recycling workers as

well as the general public. There are 600,000 to 800,000 accidental needle sticks yearly in the U.S. in various environments.

The Massachusetts Department of Public Health has set the criteria for Kiosk placement, as follows:

- it must be insured
- it must have a disposal/emergency spill contract
- it must be accessible
- it must be capable of receiving a high volume of needles
- it must be located inside
- it must be supervised
- there must be substance abuse intervention

Several individuals spoke in favor of the proposal to place a kiosk in the city and suggested possible locations, including public places such as pharmacies, hospitals and fire stations. One individual, though in favor of the kiosk, was against the city having to bear the cost of the program and suggested that pharmacies should accept that burden. A member of the Fire Department stated his favorability to the program but voiced his opposition to placing the kiosk in fire stations. Captain Upton stated that there have been 107 incidents of needles being found on the city's streets since January 1st of this year. He further stated that although the kiosk would not stop all improper disposal, it would help the city to get needles off the streets. Representative Tim Toomey said that it is important for the public to be protected and told the members that he supports legislation for the proper disposal of needles.

Ms. Maureen Foster spoke against the proposal stating that she was not against proper disposal but was opposed to the city bearing the cost of the program, adding that the law would not be easy to implement. She also said that heroin use has increased in the city as a result of making it easier to obtain needles.

The public hearing was closed and the discussion of this matter was recessed until October 16, 2007 at 7:00 PM.

Item # 183909: Home Rule Petition

Representatives from FRIT apprised the members of their attempts to meet with the Winter Hill Yacht Club (WHYC) and the Winter Hill Neighborhood Task Force (WHNTF). As of now, the meeting with the WHNTF has not been held. Mr. Lambert said that the mayor has met with the parties, individually, and will try to get all parties together to discuss the matter. He also said that the WHYC would have 3 years to store their boats before finding another site, adding that FRIT would assist in the search.

The committee discussed matters before it and took action on the following item:

183909: Communication from Mayor - Requesting approval of a Home Rule Petition to authorize the Commissioner of Capital Asset Management and Maintenance to grant easements to the City and convey certain land to FR Sturtevant Street

RECOMMENDATION: Should be approved

VOTE: Roll call vote: 6 in favor, 0 against, 5 absent

COMMITTEE REPORT

Report of the Committee of the Whole on
Legislative Matters, October 2, 2007

In Board of Aldermen

Clerk